

Request for City Council for the City of Ingleside, Texas

Subject: Request approval of fee to be charged on each Backflow Prevention (BFP) test report filed with the City or a backflow records management company and an annual registration fee to be charged to licensed testers upon registration with the City.

Submitted By: Carey Dietrich, Code Enforcement Officer,
John Davis, Building Official

Date Submitted To City Manager: March 5, 2015

For The Agenda of: March 10, 2015

Attachments:

Summary Statement: The Building Department is interested in contracting with a company that will track and maintain the City of Ingleside's Backflow Assembly Testing Program, will send reminder notices for BFP testing report deadlines to water customers that have assemblies, and will send monthly reports to the Building Department as well as the filing fee received from testers. The monies received from the backflow records management company will be recorded as revenue in the General Fund. Also, we need to establish the registration fee for BFP testers for annual registration fee.

Recommended Action: Staff recommends approval of the request. A Resolution will be presented at the second and final reading of this Ordinance, if approved.

ORDINANCE _____

AN ORDINANCE AMENDING CHAPTER 66 UTILITIES, ARTICLE VI BACKFLOW PREVENTION, DIVISION 2 AUTHORITY AND RESPONSIBILITY, SECTION 66-141 AUTHORITY OF THE CITY WATER SYSTEM, SUBSECTION (d), AND ADDING SECTION 66-145 ESTABLISHMENT OF FEES, AND FURTHER PROVIDING FOR EFFECTIVE DATE, READING, SEVERANCE AND PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE, COUNTY OF SAN PATRICIO, STATE OF TEXAS:

SECTION 1. AMENDMENT. Chapter 66 Utilities, Article VI Backflow Prevention, Division 2 Authority And Responsibility, Section 66-141 Authority Of The City Water System, Subsection (d), and Adding Section 66-145 Establishment Of Fees Ingleside Code of Ordinances is hereby amended to read as follows, new matter being indicated by underscoring and deleted matter by interlineations and brackets

Sec. 66-141. Authority of the city water system.

This article applies to all connections to the city's water system, and to all installations of backflow prevention assemblies related to the city's water system, regardless of whether the connection or assembly is located within the city limits of the city or in the city's water service area, and regardless of whether the connection or assembly is for a retail, wholesale, or other customer or user of the city's water supply system.

(a) The city is responsible for enforcing the requirement of this article with respect to connections made to the city's water system.

(b) To ensure adequate protection in individual cases, the city may assess and determine the degree of hazard to the city's water system posed in the case of individual connections, customers or users.

(c) When the city determines that a backflow prevention assembly is required for the protection of the city's water system, the building official will require the customer, at the customer's expense, to properly install an approved assembly at each service connection or hazard point.

(d) The city will make periodic inspections to verify that proper records of the installation and maintenance of backflow prevention assemblies are maintained by customers in accordance with this article, or may contract with a backflow records management company to administer the mandated backflow tracking portions of the City's cross-connection control program.

(e) The city water systems may refuse to initiate service, or may discontinue service, to

any customer that maintains an actual or potential sanitary hazard in the customer's system, or whose plumbing is susceptible to cross connections, where adequate protection against backflow is not provided.

Sec. 66-145 Establishment of fees:

- (a) Certified testers are obligated to register with the city and shall pay a registration fee annually as established by Resolution of Council and listed in Appendix A of this Code.
- (b) A fee shall be charged for each BFP test report filed with the City (or with a backflow records management company) as established by Resolution of Council and listed in Appendix A of this Code.

Secs. 66-146- 66-165. Reserved.

SECTION 2. EFFECTIVE DATE. As provided by Article III, Section 3.11.C of the Charter of the City of Ingleside, this ordinance shall be effective upon adoption and, in addition, if any penalty, fine or forfeiture is imposed by this ordinance, then this ordinance shall be effective only after publication of this ordinance in its entirety or in summary form once in the official newspaper of the City of Ingleside.

SECTION 3. READING. As provided by Article III, Section 3.11.B of the Charter of the City of Ingleside, this ordinance or the caption of it shall be read at two city council meetings with at least two weeks elapsing between each reading.

SECTION 4. SEVERANCE. If any part of this ordinance is invalid or void or is declared to be so, then said part shall be severed from the balance of this ordinance and said invalidity shall not affect the balance of this ordinance, the balance of the ordinance to be read as if said invalid or void portion thereof were not included.

SECTION 5. PUBLICATION. If and as required by Article III, Section 3.11.C of the Charter of the City of Ingleside, the caption of this ordinance shall be published one time in the official newspaper of the City of Ingleside, San Patricio County, Texas.

PASSED, ORDAINED, APPROVED AND ADOPTED this ____ day of

_____, 20__.

CITY OF INGLESIDE

BY:

Pete Perkins, Mayor

ATTEST:

CITY SECRETARY

First Reading:

Second Reading: